

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re MCCULLOM,
Plaintiff.

Case No. [23-cv-04637-JST](#)

ORDER OF DISMISSAL

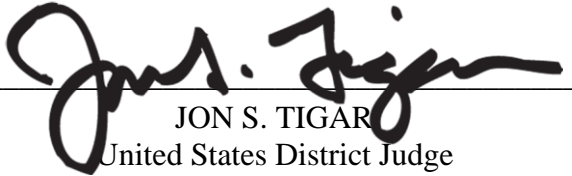
On September 11, 2023, the Court docketed a handwritten pleading wherein he stated that he wished to file a federal civil rights action pursuant to 42 U.S.C. § 1983, and an accompanying declaration. ECF Nos. 1, 2. The Court opened an action pursuant to these filings. That same day, the Court sent Plaintiff deficiency notices, instructing Plaintiff that he was required to (1) file his complaint on a complaint by prisoner form, and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis*. ECF Nos. 3, 4. The Court sent Plaintiff a blank complaint form and a blank *in forma pauperis* application form. *Id.*

The deadline to file (1) a complaint and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis* has passed. Plaintiff has not filed the required documents or otherwise communicated with the Court. This action cannot proceed without a signed complaint on the proper form with the necessary information, and either the filing fee or an application to proceed *in forma pauperis*. Accordingly, this action is DISMISSED for failure to meet these filing requirements. The dismissal is without prejudice to Plaintiff filing a motion to reopen the action. Any motion to reopen must be accompanied by a signed complaint on the proper form with the necessary information and either the filing fee or an application to proceed *in forma pauperis*.

1 The Clerk shall enter judgment against Plaintiff, terminate all pending motions as moot,
2 and close the case.

3 **IT IS SO ORDERED.**

4 Dated: October 23, 2023

5 
6 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California